

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

TAOFEEK A. QUADRI

PLAINTIFF

V.

CASE NO. 4:16-CV-04003

UNITED STATES OF AMERICA;
and ERIC K. FANNING,
SECRETARY OF THE ARMY

DEFENDANTS

ORDER

Before the Court is Plaintiff's Motion to Reconsider Dismissal. ECF No. 20. Pursuant to Federal Rule of Civil Procedure 59(e), Plaintiff moves the Court to reconsider the Order dismissing his case. Defendants have responded to the motion. ECF No. 21. The Court finds the matter ripe for consideration.

"Rule 59(e) motions serve the limited function of correcting 'manifest errors of law or fact or to present newly discovered evidence.'" *Metro. St. Louis Sewer Dist. v. Mallinckrodt, Inc.*, 440 F.3d 930, 933 (8th Cir. 2006) (quoting *Innovative Home Health Care v. P.T.-O.T. Assoc. of the Black Hills*, 141 F.3d 1284, 1286 (8th Cir. 1998)). "Such motions cannot be used to introduce new evidence, tender new legal theories, or raise arguments which could have been offered or raised prior to entry of judgment." *Id.* After reviewing Plaintiff's motion, the Court is not convinced that Plaintiff points to a manifest error of law or fact that would justify amending or altering its prior ruling. Therefore, the Court finds that Plaintiff's Motion to Reconsider Dismissal (ECF No. 20) should be and hereby is **DENIED**.

IT IS SO ORDERED, this 25th day of May, 2017.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge